

June 5, 2023

Document Electronically Filed

Hon. Barbara C. Moses
 United States Magistrate Judge
 United States District Court for the
 Southern District of New York
 Daniel Patrick Moynihan United States Courthouse
 500 Pearl Street
 New York, NY 10007-1312

MEMO ENDORSED

Re: Dixon v. Commissioner of Social Security
Docket No: 1:23-cv-02162-BCM

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 06/05/2023

Hon. Judge Moses:

This letter respectfully requests an extension of time of seventy-five (75) days for Plaintiff to file Plaintiff's Brief in this matter. Plaintiff's Brief is currently due on June 14, 2023; however, Plaintiff cannot complete the Brief on time.

Counsel requests this extension due to two briefing attorneys in Counsel's Office being out on unexpected, prolonged, medical leaves over the past month. This has necessitated these attorneys' schedules be re-organized entirely. Further, Counsel requests this extension due to multiple, simultaneous filing deadlines. Counsel requires additional time to properly and thoroughly prepare Plaintiff's brief. For instance, between June 9, and August 11, 2023, staff in Counsel's office have two hundred and twenty-five (225) Plaintiff briefs due. This figure does not include Oral Arguments, appeals to Circuit Courts, Reply Briefs, settlement negotiations, and the various other tasks which arise throughout the course of litigation. These circumstances do not allow for Plaintiff's Counsel to properly prepare the brief by the current deadline. This request will not cause Defendant any undue hardship. This extension is needed to thoroughly and properly prepare the brief by the current deadline.

Counsel understands that a request for a seventy-five (75) day extension of time in irregular, however Counsel makes this request in an attempt to conserve judicial resources and avoid further extension requests regarding Plaintiff's briefing deadline. Additionally, Counsel requires an extension of seventy-five (75) days for the reasons stated above.

Plaintiff's counsel has contacted defense counsel who has no objection to this request. The parties have agreed on the below briefing schedule. This would be a first request to extend the time to file Plaintiff's Brief.

If Plaintiff's request is granted, the new briefing schedule would be:

- **Plaintiff's Brief is due on or before August 28, 2023;**
- **Defendant's Brief is due on or before October 27, 2023; and**
- **Plaintiff's Reply Brief, if any, is due on or before November 10, 2023.**

Thank you for your consideration.

Respectfully submitted,

/s/ Howard D. Olinsky

Howard D. Olinsky, Esq.
Counsel for Plaintiff

Application GRANTED. **No further extensions of the briefing schedule will be granted absent compelling circumstances.** See Standing Order (Dkt. 4) at 2.

SO ORDERED.

Dated: June 6, 2023


Robert Bors
U.S. Magistrate Judge